

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

SAMUEL HAYWOOD MYLES,

Plaintiff,

v.

**Civil Action No. 2:07cv43
(Judge Maxwell)**

**CHAPLAIN WALLACE,
CHAPLAIN KOWALEYZK,
CHAPLAIN ELLIOTT,**

Defendants.

ORDER GRANTING SECOND MOTION TO AMEND

On June 1, 2007, the *pro se* plaintiff, Samuel Myles, an inmate at USP Hazelton, filed a Bivens action. On August 28, 2007, he filed a Motion to Amend/Correct.

Federal Rule of Civil Procedure 15(a) provides that “a party may amend the party’s pleading once as a matter of course at any time before a responsive pleading is served... Otherwise a party may amend the party’s pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires.

Here, a review of the file shows that the plaintiff had already amended his complaint once. However, a review of the plaintiff’s current motion to amend establishes that it adds no substantive issues, but merely clarifies his claim for compensatory and punitive damages. Therefore, the plaintiff’s Motion to Amend/Correct (Doc.11) is GRANTED.

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the plaintiff at his last known address as reflected on the docket sheet.

DATED: September 4, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE